

**FREEDOM OF INFORMATION COMMISSION STATEMENT IN OPPOSITION TO  
RAISED BILL 5125, AN ACT LIMITING ACCESS TO CERTAIN INFORMATION  
REGARDING PROBATION OFFICERS UNDER THE  
FREEDOM OF INFORMATION ACT**

February 19, 2014

The Freedom of Information Commission (FOIC) submits this statement in opposition to Raised Bill 5125 concerning the personnel records of probation officers.

The bill would provide a blanket prohibition on the disclosure of “personnel or medical file or similar files” including discrimination complaints and security investigations concerning probation officers (both current and former) to individuals under the supervision of the Court Support Services Division or certain individuals committed to the custody or supervision of the Commissioner of Correction.

The proposal is unnecessary because there is already an exemption contained in the Freedom of Information Act that can be utilized to withhold these kinds of records under appropriate circumstances. Section 1-210(b)(2) provides for the non-disclosure of personnel, medical or similar files that, if disclosed, would constitute an invasion of personal privacy. The Supreme Court has provided in Perkins v. FOI Commission, 228 Conn. 158, 175 (1993), the standard to determine what constitutes an invasion of personal privacy. The explicit language of the statute, coupled with the time-tested standard set forth by the Supreme Court, already establishes a comprehensive, objective and effective method by which to protect information relating to public sector employees.

Hiring decisions, investigations and disciplinary matters, commendations, timesheets – all are public records whose accessibility to the public helps ensure accountability of all public employees – including probation officers.

For these reasons, the FOIC urges rejection of Raised Bill 5125.

For further information contact: Colleen M. Murphy, Executive Director and General Counsel or Mary Schwind, Managing Director and Associate General Counsel, at (860) 566-5682.